

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

Before Administrative Judges:

Paul S. Ryerson, Chairman
Dr. Sue H. Abreu
Dr. Gary S. Arnold

In the Matter of

DTE ELECTRIC COMPANY

(Fermi 2)

Docket No. 50-341-LA

ASLBP No. 20-966-02-LA-BD01

June 29, 2020

ORDER

(Adopting Transcript Corrections)

Before the Board is a joint motion submitted by the oral argument participants—DTE Electric Company; Citizens' Resistance at Fermi 2; and the NRC Staff—requesting that corrections be made to the transcript of the June 10, 2020 oral argument concerning standing and contention admissibility.¹ Because all participants agree on the proposed corrections, the Board adopts them. The transcript of the oral argument held on June 10, 2020 is revised per Appendix A to this Order.

It is so ORDERED.

FOR THE ATOMIC SAFETY
AND LICENSING BOARD

/RA/

Paul S. Ryerson, Chairman
ADMINISTRATIVE JUDGE

Rockville, Maryland
June 29, 2020

¹ See Joint Motion for the Correction of the Official Transcript of the Oral Argument Held on June 10, 2020 (June 26, 2020).

APPENDIX A

CORRECTIONS TO THE TRANSCRIPT OF THE
ORAL ARGUMENT HELD ON JUNE 10, 2020
DOCKET NO. 50-341-LA

Page	Line	Now Reads	Should Read	Speaker
2	11	Jon Christinidis, Esq.	Jon P. Christinidis, Esq.	N/A
4	12	at	that	Ryerson
4	13	as	has	Ryerson
6	2	that might	than might	Ryerson
8	22	respondent	responding	Matthews
9	8	Francis	Frances	Woods
10	16-17	walk-dogging	watch-dogging	Collins
10	19	Hedwid	Hedwig	Collins
10	20	Prince Township	Frenchtown Township	Collins
12	1	MO	ML	Sherman
12	4	circulation.	circulation loss.	Sherman
12	7-8	these materials at the	these aging materials as the	Sherman
12	10	always	already	Sherman
12	14	the panels	the snap in panels	Sherman
12	24	the front loads	the drop loads	Sherman
13	2	incinerator	diesel generator	Sherman
13	4	could be an issue by	could be initiated by	Sherman
13	8	scenario. Decreased	scenario, and decreased	Sherman
13	10	(Telephonic interference)	Degraded NAMs	Sherman
13	12	cause filters to block	clog filters and block	Sherman
13-14	25-1	Just a few years later the	Two years later NERC found the	Sherman
14	1-2	violation. Writing of	violation, writing:	Sherman
14	2	were incomplete	were: Incomplete	Sherman
14	3	records where	records; Running	Sherman
14	4	systems testing was ineffective. A	systems to track testing were both ineffective; A	Sherman
14	5	records failed to	records; A failure to	Sherman
14	7-8	and a failure to understand ethical standards in the environment.	; and A failure to understand applicable standards and requirements.	Sherman
14	10	analysis' conclusion	analysis leading to the conclusion	Sherman
15	4	degradation of the dam	degradation of the NAM	Deer In Water

Page	Line	Now Reads	Should Read	Speaker
15	14	whether uncredited or not	whether accredited or not	Deer In Water
15	21	areal density	areal Boron10 density	Deer In Water
16	11-12	movement in storage to fuel	movement and storage of fuel	Deer In Water
16	18	filters in the	filters, and the	Deer In Water
17	5	the ponds (phonetic) were	the coupons were	Deer In Water
17	14	mess with - -	mess with the movement of rods	Deer In Water
18	4	and (telephonic interference)	and the inserts	Deer In Water
19	18	Now each	Notably, each	Lighty
20	7	and	an	Lighty
20	10	LAR to be gleaned	LAR could be gleaned	Lighty
20	23	function, but more	function, more	Lighty
21	7	So Petitioner's overarching theory, it is	Thus, Petitioner's overarching theory is	Lighty
21	25	Francis	Frances	Woods
22	6	propose admissible	propose an admissible	Woods
22	16	left	less	Woods
22	24	and both	in both	Woods
23	23	inserts. All	inserts, all	Woods
24	11	spent fuel and a spent fuel pool	spent fuel in a spent fuel pool	Woods
24	16	of presumption	presumption	Woods
25	9	proceeding	proceedings	Woods
26	8-9	spent fuel and the spent fuel pool enduring	spent fuel in the spent fuel pool and during	Woods
28	5	margins	margin	Woods
28	8	supposed to be challenged	proposed to be changed	Woods
28	14	it does challenge	it does not challenge	Woods
28	15	licensing	license	Woods
31	2	Francis	Frances	Mertz
31	8	ISFSI construction to	ISFSI construction and to	Mertz
32	2	pools remain	pool remains	Mertz
32	3	text,	test	Mertz
32	14-15	their source partners' decision	Interim Storage Partners decisions	Mertz
32	16	background	that ground	Mertz

Page	Line	Now Reads	Should Read	Speaker
33	22	set aside	demonstrate	Wachutka
34	11	those of	those are	Wachutka
35	16	completing	conflating	Ryerson
35	17	establishing standard	establishing standing	Ryerson
37	15	precedence	precedents	Wachutka
39	11	their other two independent ACs	our other two independent bases	Wachutka
39	20	filing	filings	Wachutka
40	23	International Interim	International and Interim	Woods
41	18	or their	or the	Wachutka
44	19	unusable, discontinued due to	unusable, due to	Deer In Water
44	22-23	really think of scenarios --	really give you any scenarios because	Deer In Water
44	25	is steadily irradiated by	gets heavily irradiated by	Deer In Water
45	1	gamma irradiated by and essentially	gamma radiation and potentially	Deer In Water
45	14	enough unknown and of known unknowns	enough knowns and unknown knowns	Sherman
45	15-16	and if this didn't rest	and that this shouldn't rest	Sherman
45	20	SUNI	SUNSI	Collins
46	9	been on	been no	Lighty
46	16	speculations contradict	speculation contradicts	Lighty
47	21	MR. WACHUTKA	MR. SHERMAN	N/A
49	12	Applicants	Applicant's	Arnold
49	13	Analysis	Analyses	Arnold
49	22-23	Boraflex there and shoving more debris and stuff in it, the criticality,	Boraflex there and shoving more debris stuff in it, that's what the criticality,	Collins
50	8	end	and	Arnold
51	23	4	6	Collins
51-52	25-1	know that answer.	know the answer.	Collins
52	11	graded	degraded	Sherman
52	19	exasperating	exacerbated	Sherman
52	22	and changing the	, in changes in	Sherman
52	23	marking.	margin.	Sherman
53	5	discussion	discussing	Arnold
54	7	it's not a	this is not even a	Deer In Water
55	15	0.95K Effective	0.95 K effective	Lighty
55	19	1.5 and above	1.0 and above	Lighty
56-57	25-1	Shutdown is	Is	Arnold

Page	Line	Now Reads	Should Read	Speaker
57	2	such than	such that	Arnold
57	5	energy	NRC	Wachutka
57	9	10 CFR 50.6(a)	10 CFR 50.68	Wachutka
57	15	roll	so	Wachutka
58	8	GTE	DTE	Lighty
58	14	specifically that the	specifically the	Lighty
58	16	must not be challenged	have not been challenged	Lighty
59	8	MS. WOODS:	(UNKNOWN SPEAKER):	N/A
59	10	MS. WOODS:	(UNKNOWN SPEAKER):	N/A
59	23-24	that's been determined with CRAFT	, it's Jim Sherman with CRAFT,	Sherman
59	25	GTE	DTE	Sherman
60	13	a bid has to look	they should look	Sherman
61	19	learn from	see from	Sherman
62	2	really be specific	really specifically	Deer In Water
62	5	going to do that	going to create, react--	Deer In Water
62	7	DE	DTE	Deer In Water
62	11	want (telephonic interference)	want it necessarily to be dissected	Deer In Water
63	17	iterate	reiterate	Woods
64	10	contention and admissibility	contention admissibility	Ryerson
65	9	contention, admissibility	contention admissibility	Ryerson

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)
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DTE ELECTRIC COMPANY) Docket No. 50-341-LA
)
(Fermi 2))
)
(License Amendment))

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **ORDER (Adopting Transcript Corrections)** have been served upon the following persons by Electronic Information Exchange.

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FERMI 2 (Docket No. 50-341-LA)
ORDER (Adopting Transcript Corrections)

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Office of the Secretary of the Commission

Dated at Rockville, Maryland
this 29st day of June, 2020